

David S. Gingras, #021097  
**Gingras Law Office, PLLC**  
4802 E. Ray Road, #23-271  
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Tel.: (480) 264-1400  
David@GingrasLaw.com

Attorney for Defendant/Counterclaimant  
Chai Research Corp.

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF ARIZONA**

Zhang JC, an individual,

Plaintiff/Counterdefendant,

v.

Chai Research Corp,

Defendant/Counterclaimant.

Case No. 24-cv-267-SMB

**AFFIDAVIT OF DAVID GINGRAS**  
**IN SUPPORT OF CHAI RESEARCH**  
**CORP.'S**  
**MOTION FOR SUMMARY JUDGMENT**

I, David S. Gingras hereby declare as follows:

1. My name is David S. Gingras. I am a United States citizen, a resident of the State of Arizona, am over the age of 18 years, and if called to testify in court or other proceeding I could and would give the following testimony which is based upon my own personal knowledge.

2. I am an attorney licensed to practice law in the States of Arizona and California, I am an active member in good standing with the State Bars of Arizona and California and I am admitted to practice and in good standing with the United States Court of Appeals for the Sixth, Ninth and Tenth Circuits, the United States District Court for the District of Arizona and the United States District Courts for the Northern, Central, and Eastern Districts of California.

1           3. I have represented Defendant/Counterclaimant Chai Research Corp.  
2 ("Chai") since the inception of this matter.

3           4. On April 30, 2024, I prepared and served a set of Requests for Admissions  
4 pursuant to Fed. R. Civ. P. 36, a copy of which is attached hereto as Exhibit A.

5           5. The RFAs were served by sending a copy to Plaintiff Zhang JC by United  
6 States mail at the following address:

7  
8                               Zhang JC  
9                               Room A17, 29/F,  
10                              The Grand Centre  
11                              7 Shing Yip Street  
12                              Kwun Tong, Kowloon  
13                              Hong Kong

14           6. Attached hereto as Exhibit B is a scanned copy of the exterior mailing  
15 envelope containing the RFAs which was mailed to Plaintiff on April 30, 2024.

16           7. Also reflected in Exhibit B is a Certificate of Mailing provided by the  
17 United States Post Office at the time this envelope was sent.

18           8. As has been true of all previously mail sent to Plaintiff at the above  
19 address, the envelope containing the RFAs was later returned as undeliverable.

20           9. Despite sending the RFAs to Plaintiff at his address of record, I have not  
21 received any response from him to the RFAs, nor has Plaintiff communicated with me in  
22 any other manner since the start of this matter.

23           United States of America that the foregoing is true and correct.

24           EXECUTED ON: August 2, 2024.

25                               By   
26                               David S. Gingras

# Exhibit A

David S. Gingras, #021097  
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Phoenix, AZ 85044  
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Attorneys for Defendant/Counterclaimant  
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**UNITED STATES DISTRICT COURT  
DISTRICT OF ARIZONA**

Zhang JC, an individual,

Plaintiff/Counterdefendant,

v.

Chai Research Corp,

Defendant/Counterclaimant.

Case No. 24-cv-267-SMB

**DEFENDANT/COUNTERCLAIMANT  
CHAI RESEARCH CORP.'S  
FIRST SET OF DISCOVERY  
REQUESTS**

**TO: Zhang JC**  
Room A17, 29/F, The Grand Centre  
7 Shing Yip Street  
Kwun Tong, Kowloon  
Hong Kong  
Via U.S. Mail

Pursuant to Fed. R. Civ. P. 33, 34 & 36, Defendant/Counterclaimant Chai Research Corp. propounds the following request for production, admissions and/or non-uniform interrogatories, each of which is to be answered fully and separately, in writing, under oath and within thirty (30) days. These interrogatories are continuing interrogatories under Fed. R. Civ. P. 26(e), and all your answers must be supplemented in accordance with Rule 26(e).

## INSTRUCTIONS

A. All information is to be divulged which is in the possession, custody or control of each individual or corporate party, their attorneys, insurance claim representatives, investigators, agents, employees or other representatives, including all information reasonably available to them.

B. Where an individual interrogatory calls for an answer, which involves more than one part or sub-part, each part of the answer should be set forth separately so that it is clearly understandable and responsive to the respective sub-part.

C. The terms “writing” or “written” are intended to include but not necessarily be limited to the following: other means of recording upon any tangible thing any form of communications, including letters, words, pictures, sounds or symbols or combinations thereof; and it further includes any oral communication later reduced to a writing or confirmed by a letter.

D. The terms “document” or “documents” are intended to include but not necessarily be limited to the following: files, notes, memoranda, correspondence or letters of any kind, intra-departmental or office communications, written statements or reports, either signed or unsigned, records or taped interviews or statements, maps, plats, photographs, moving or still pictures, diagrams, plans, drawings, specifications, measurements, or other descriptions, agreements, contracts, records, and computer files in any format and printouts thereof. The term “document” shall include both originals and all copies which are not identical with the original or which contain any commentary or notation that does not appear on the original.

E. If you contend that the answer to any interrogatory is privileged, in whole or in part, or if you object to any interrogatory, in whole or in part, state the reasons for such objection and identify each person having knowledge of the factual basis, if any, on which the privilege is asserted.

F. When an interrogatory requests that you “identify,” or state the “identity” of a person, you are requested to provide his or her:

1. Full name;
2. Present or last known address or, if unknown, the last known whereabouts;
3. Phone number;
4. Present employer’s name and address;
5. Occupational position or classification.

G. Unless otherwise directed, when an interrogatory asks that you “identify” a document or writing, please state:

1. Its nature (e.g., letter, memorandum, report, etc.);
2. Its title, if any;
3. The identity, as defined above, or person(s) who:
  - a. Prepared it;
  - b. Participated in any way in its preparation; or

- c. Signed it;
4. A statement of its subject matter; and
5. The identity, as defined above, of the person who has custody of it.

H. In the event that your answer to an interrogatory is “not applicable” or any similar phrase or answer, explain in detail why that interrogatory is not applicable.

I. In the event that your answer to any interrogatory is “don’t know” or “unknown,” or any similar phrase or answer, explain in detail all efforts made by the named party or its attorneys or representatives to obtain the answer to that interrogatory.

J. These interrogatories should be deemed continuing in nature. It is requested that you update your answers to interrogatories as soon as possible after new information is obtained to reflect any information obtained after the interrogatories are initially answered to include all information up to and including the date of the trial.

K. Where an interrogatory requests that you provide information concerning Explain a witness may testify about, that interrogatory is intended to elicit a summary of the information that any witness may have provided to you of whether they may testify at trial.

L. References in these Interrogatories to “this case” or “this matter” are to the litigation currently pending in this Court under the above-styled caption.

M. References to “YOU” mean Plaintiff/Counterdefendant Zhang JC.

N. References to “CHAI RESEARCH” mean Defendant/Counterclaimant Chai Research Corp.

**REQUESTS FOR ADMISSIONS**

1.) Admit YOU registered the domain name chai-ai.app on September 15, 2023.

**RESPONSE:** ADMIT \_\_\_\_\_ DENY \_\_\_\_\_

2.) Admit YOU registered the domain name chainsfw.com on December 22, 2023.

**RESPONSE:** ADMIT \_\_\_\_\_ DENY \_\_\_\_\_

3.) Admit that prior to registering the domain names chai-ai.app and chainsfw.ai, YOU did not at any time use "CHAI" as a mark in connection with offering any goods or services.

**RESPONSE:** ADMIT \_\_\_\_\_ DENY \_\_\_\_\_

4.) Admit that prior to registering the domain names chai-ai.app and chainsfw.ai, CHAI RESEARCH used (and continues to use) "CHAI" as a trademark in connection with offering goods and/or services including offering an artificial intelligence chat application called "CHAI".

**RESPONSE:** ADMIT \_\_\_\_\_ DENY \_\_\_\_\_

5.) Admit that after YOU registered the domain name chai-ai.app YOU used the name to direct traffic to a web page advertising access to "Chai AI - Your Ultimate

1 NSFW Chat Adventure" where the acronym for "not safe for work" indicates adult  
2 material. The page repeatedly referenced "CHAI AI", and further stated:

3 "Does Chai AI have a website?

4 You can visit our website to learn more about their AI chat bot services,  
5 explore features, and access their platform for AI-driven conversations."

6 **RESPONSE:** ADMIT \_\_\_\_\_ DENY \_\_\_\_\_  
7

8  
9 6.) Admit the website corresponding to the disputed name chai-ai.app included  
10 repeated links to "Free Chat Now" which linked to a website at Crushon.ai and includes a  
11 referring code of "chaiaiap", in what was apparently a paid affiliate referral code.

12 **RESPONSE:** ADMIT \_\_\_\_\_ DENY \_\_\_\_\_  
13

14  
15 7.) Admit that in late 2023, YOU began using the domain name chai-ai.app to  
16 forward traffic to a new domain name chainsfw.com.

17 **RESPONSE:** ADMIT \_\_\_\_\_ DENY \_\_\_\_\_  
18

19  
20 8.) Admit that YOUR use and trafficking of the Chai-ai.app domain name  
21 constitutes cybersquatting under 15 U.S.C. §1125(d) in that YOU have demonstrated a  
22 bad faith intent to profit from CHAI RESEARCH's distinctive mark at the time of  
23 registration of the domain name.

24 **RESPONSE:** ADMIT \_\_\_\_\_ DENY \_\_\_\_\_  
25

26  
27 9.) Admit that YOUR use and trafficking of the chainsfw.ai domain name  
28 constitutes cybersquatting under 15 U.S.C. §1125(d) in that YOU have demonstrated a



1 bad faith intent to profit from CHAI RESEARCH's distinctive mark at the time of  
2 registration of the domain name.

3  
4 **RESPONSE:** ADMIT \_\_\_\_\_ DENY \_\_\_\_\_

5  
6 10.) Admit YOU have never used the domain names chainsfw.ai and/or Chai-  
7 ai.app in a bona fide manner for bona fide purposes.

8  
9 **RESPONSE:** ADMIT \_\_\_\_\_ DENY \_\_\_\_\_

10  
11 11.) Admit YOU registered and used the domain names chainsfw.ai and/or  
12 Chai-ai for the purpose of diverting traffic from anyone search for CHAI RESEARCH's  
13 legitimate services.

14  
15 **RESPONSE:** ADMIT \_\_\_\_\_ DENY \_\_\_\_\_

16  
17 12.) Admit YOU provided material and misleading false contact information at  
18 the time you registered the domain names chainsfw.ai and/or Chai-ai.

19  
20 **RESPONSE:** ADMIT \_\_\_\_\_ DENY \_\_\_\_\_

21  
22 DATED: April 30, 2024.

23 **GINGRAS LAW OFFICE, PLLC**

24 

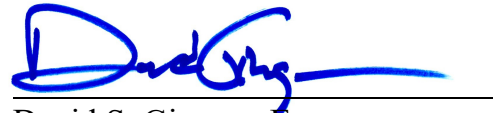
25 David S. Gingras, Esq.  
26 **Gingras Law Office, PLLC**  
27 4802 E. Ray Road, #23-271  
28 Phoenix, AZ 85044  
Tel.: (480) 264-1400  
David@GingrasLaw.com

Attorney for Defendant/Counterclaimant  
Chai Research Corp.

**CERTIFICATE OF SERVICE**

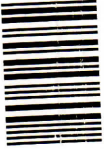
I hereby certify that paper copies were sent via U.S. Mail on April 30, 2024 to:

Zhang JC  
Room A17, 29/F, The Grand Centre  
7 Shing Yip Street  
Kwun Tong, Kowloon  
Hong Kong

  
David S. Gingras, Esq.

## Exhibit B

Retail



00422

U.S. POSTAGE PAID  
FCMILE  
GILBERT, AZ 85296  
APR 30, 2024

\$5.45

R2304M115658-11

UNITED STATES  
POSTAL SERVICE®  
Certificate of Mailing

This Certificate of Mailing provides evidence that mail has been presented to USPS® for mailing. This form may be used for domestic and international mail.

From: Gingras Law Office  
4802 E. Ray Road  
Phoenix AZ 85044

To: JL Zhang  
Room A1729F The Grand Centre  
7 Shing Yip Street  
Kowloon, Hong Kong

PS Form 3817, April 2007 PSN 7530-02-000-9065

U.S. POSTAGE PAID  
FCMILE  
GILBERT, AZ 85296  
APR 30, 24  
AMOUNT  
\$2.00  
R2304M115658-11



From:  
Gingras Law Office, PLLC  
4802 E Ray Road, #23-271  
Phoenix, AZ 85044

Zhang JC  
Room A17, 29/F,  
The Grand Centre  
7 Shing Yip Street  
Kwun Tong, Kowloon  
Hong Kong